

(Del. Rev. 11/14) Pro Se General Complaint Form

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

Adetayo Adeseye

(In the space above enter the full name(s) of the plaintiff(s).)

17-292

Civ. Action No. \_\_\_\_\_  
(To be assigned by Clerk's  
Office)

-against-

Midland Funding, LLC, ET AL.

COMPLAINT  
(Pro Se)

Jury Demand?

☐ Yes

☒ No

(In the space above enter the full name(s) of the defendant(s).  
If you cannot fit the names of all of the defendants in the  
space provided, please write "see attached" in the space  
above and attach an additional sheet of paper with the full list  
of names. The names listed in the above caption must be  
identical to those contained in Section I. Do not include  
addresses here.)

FILED  
CLERK U.S. DISTRICT COURT  
DISTRICT OF DELAWARE  
2017 MAR 20 PM 3:29  
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NOTICE

Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

If this is an employment discrimination claim or social security claim, please use a different form.

**Plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.**

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**I. PARTIES IN THIS COMPLAINT****Plaintiff**

List your name, address and telephone number. If you are presently in custody, include your identification number and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff:

Adeseye, Mayo

Name (Last, First, MI)

2 Guilford Ct

Street Address

New Castle, Newark

County, City

DE

State

19702

Zip Code

(302) 690-6529

Telephone Number

E-mail Address (if available)

**Defendant(s)**

List all defendants. You should state the full name of the defendants, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant can be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant 1:

Midland Funding LLC

Name (Last, First)

2365 Northside drive suite 300

Street Address

San Diego, San Diego

County, City

CA

State

92108

Zip Code

Defendant 2:

Name (Last, First)

Street Address

County, City

State

Zip Code



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**Defendant(s) Continued**

Defendant 3:

\_\_\_\_\_  
Name (Last, First)

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
County, City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip Code

Defendant 4:

\_\_\_\_\_  
Name (Last, First)

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
County, City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip Code

**II. BASIS FOR JURISDICTION**

*Check the option that best describes the basis for jurisdiction in your case:*

- ☐ **U.S. Government Defendant:** United States or a federal official or agency is a defendant.
- ☐ **Diversity of Citizenship:** A matter between individual or corporate citizens of different states and the amount in controversy exceeds \$75,000.
- ☒ **Federal Question:** Claim arises under the Constitution, laws or treaties of the United States.

If you chose "Federal Question", state which of your federal constitutional or federal statutory rights have been violated.

\_\_\_\_\_  
Telephone Consumer Protection Act ("TCPA") and Fair  
Debt Collections Act ("FDCPA").  
\_\_\_\_\_  
\_\_\_\_\_

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**III. VENUE**

*This court can hear cases arising out of the Counties of New Castle, Kent, and Sussex in the State of Delaware.*

*Under 28 U.S.C § 1391, this is the right court to file your lawsuit if: (1) All defendants live in this state AND at least one of the defendants lives in this district; OR (2) A substantial part of the events you are suing about happened in this district; OR (3) A substantial part of the property that you are suing about is located in this district; OR (4) You are suing the U.S. government or a federal agency or official in their official capacities and you live in this district. Explain why this district court is the proper location to file your lawsuit.*

Venue is appropriate in this Court because:

A substantial part of the events happened in the district.

**IV. STATEMENT OF CLAIM**

Place(s) of  
occurrence:

Via telephone in Newark, DE

Date(s) of occurrence: February 15 (9:20pm), February 15 (11:53am), February 11 (1:08pm)

February 3 (2:37pm), January 21 (3:06pm), January 19 (4:44pm), ... 2017  
State here briefly the FACTS that support your case. Describe how each defendant was personally involved in the alleged wrongful actions.

**FACTS:**

What  
happened to  
you?

The defendant Midland Funding LLC violated the telephone Consumer protection Act ("TCPA"), the fair Debt Collections Act ("FDCPA"), and the plaintiff's personal privacy during the defendant and its agents illegal efforts to collect an alleged consumer debt. In 2014 and 2015 defendant repeatedly called plaintiff, plaintiff's old roommates, sister and brother using artificial and/or pre-recorded



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voice technology to coerce payment of an alleged debt with intent to annoy, abuse or harass the plaintiff. The defendant disclosed the last 4 digits of plaintiff's Social security number to Jessica Mateo (Plaintiff's step sister) in an effort to confirm the identity of plaintiff. The defendant then continued to repeatedly call plaintiff's cellular phone number on the following dates in 2017, February 15, 2017 (9:29pm), February 15 (11:53am), February 11 (1:08pm), February 3 (2:37pm), January 21 (3:06pm), January 19 (4:44pm), January 17 (3:22pm), January 4 (6:22pm), December 29 (12:15pm), December 27 (9:14am), December 15 (2:24pm), December 12 (11:16). Defendant initiated at least six (6) telephone calls to plaintiff's telephone line using artificial and/or pre-recorded voices to deliver messages without the express of Plaintiff's consent. The defendant knew or should have known that their actions violated the TCPA and FDCPA. The defendant acted in a false, deceptive, misleading and unfair manner by repeatedly causing plaintiff and known associates phone to ring with intent to annoy, abuse or ~~harass~~ harass any person at the called number. The acts and/or omissions of the defendant were done unlawfully, unfair, intentionally fraudulently and absent bonafide error, lawful right, legal defense justification or legal excuse. The defendant invaded the privacy of plaintiff by unreasonably intruding upon the seclusion of the plaintiff.

Was anyone  
else  
involved?

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Who did  
what?

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**V. INJURIES**

*If you sustained injuries related to the events alleged above, describe them here.*

Derogatory mark on credit affects all of plaintiff's finances. Plaintiff's credit has a blemish due to defendant's reporting. Due to this plaintiff is paying a higher interest of her auto loan and any loan she will obtain in the future.

**VI. RELIEF**

The relief I want the court to order is:

☒ Money damages in the amount of: \$ 2000

☒ Other (explain):

Defendant to remove the derogatory mark on plaintiff's credit report.

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**VII. CLOSING**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending or modifying existing law; and (3) complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

3/15/2017  
Dated

A. Adoseye  
Plaintiff's Signature

Adoseye, Anthony  
Printed Name (Last, First, MI)

2 Guilford Ct Newark DE 19702  
Address City State Zip Code

(302) 690-6529 \_\_\_\_\_  
Telephone Number E-mail Address (if available)

*List the same information for any additional plaintiffs named. Attach additional sheets of paper as necessary.*

**Plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.**